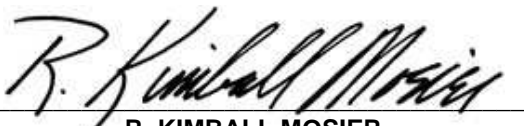


The below described is SIGNED.

Dated: November 02, 2010


R. KIMBALL MOSIER
U.S. Bankruptcy Judge



Prepared and submitted by:

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Attorneys for WestLB, AG

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

| | | |
|---|---|---------------------------------|
| In re: |) | |
| |) | |
| EASY STREET HOLDING, LLC, <i>et al.</i> , |) | Bankruptcy Case No. 09-29905 |
| |) | Jointly Administered with Cases |
| Debtors. |) | 09-29907 and 09-29908 |
| |) | |
| |) | Chapter 11 |
| Address: 201 Heber Avenue |) | |
| Park City, UT 84060 |) | [FILED ELECTRONICALLY] |
| |) | |
| Tax ID Numbers: |) | |
| 35-2183713 (Easy Street Holding, LLC), |) | |
| 20-4502979 (Easy Street Partners, LLC), and |) | |
| 84-1685764 (Easy Street Mezzanine, LLC) |) | |
| |) | |

**ORDER DENYING IN PART AND GRANTING IN PART THE FINAL FEE
APPLICATION OF CO-MANAGER, BDRC 4SITE, LLC FOR COMPENSATION FOR
SERVICES AND REIMBURSEMENT OF EXPENSES**

The matter before the Court is the Final Fee Application of Co-Manager BDRC 4site, LLC for Compensation for Services and Reimbursement of Expenses [Docket No. 625] (the “BDRC Fee Application”) filed by BDRC 4Site, LLC (“BDRC”). An initial hearing on the BDRC Fee Application was held on August 24, 2010, and a final hearing on the BDRC Fee Application was held on October 19, 2010 (the “Hearing”). Blake Miller appeared at the Hearing on behalf of BDRC and Cameron Hancock, Peggy Hunt, and Scott Cummings appeared on behalf of WestLB, AG (“WestLB”).

The Court has reviewed the BDRC Fee Application, the objections to the same filed by WestLB [Docket Nos. 663 and 703], the reply briefs filed in support by BDRC [Docket Nos. 671 and 704], the pleadings, exhibits, and other documents filed in this case, the arguments of counsel, evidence presented at the Hearing, and applicable case law. Based thereon, the Court made specific findings of fact and conclusions of law on the record at the Hearing, which are incorporated herein by reference (the “Findings”). In accordance with these Findings, the Court

HEREBY ORDERS AS FOLLOWS:

1. The BDRC Fee Application is DENIED with prejudice to the extent that (a) BDRC requests payment of a financing fee, listed in the BDRC Fee Application in the amount of \$86,792.20; and (b) BDRC seeks payment for services after June 30, 2010, listed in the BDRC Fee Application in the amount of \$34,500.
2. The BDRC Fee Application is GRANTED to the extent that (a) BDRC seeks final allowance of \$181,000 in compensation previously paid to it for services rendered to Easy Street Partners, LLC (“Easy Street”) from December 2009 through June 2010; (b) BDRC requests payment of a termination fee of \$46,000; (c) BDRC requests payment of \$13,033 for services

rendered to Easy Street during November 2009; (d) final allowance of \$17,981.32 previously paid to BDRC for costs that BDRC incurred in this case from December 2009 through June 2010; and (e) payment of \$527.00 in unpaid costs.

3. BDRC's request for payment of its attorneys fees and costs incurred in connection with the BDRC Fee Application is hereby reserved pursuant to the terms and conditions set forth in the Court's Findings.

4. With the exception of the reservation of attorneys' fees and costs pursuant to paragraph 3 above, BDRC is hereby awarded final compensation in the amount of \$258,541.32 for professional services and expenses rendered and incurred, which fees and expenses are entitled to administrative expense priority under 11 U.S.C. §§ 503(b)(2) and 507(a)(2).

5. Heber Avenue Partners, as the Reorganized Debtor, as that term is defined in the Amended Plan of Reorganization of Easy Street Partners, LLC and WestLB, AG Dated June 16, 2010 [Docket No. 566] (the "Confirmed Plan"), and/or WestLB, as the Plan Funder, as that term is defined in the Confirmed Plan are to pay to BDRC the sum of \$59,560.00, which sum represents all fees and expenses approved by this Order that have not previously been paid and, except for the reservation of fees and costs as set forth in paragraph 3 of this Order, the \$59,560.00 payment constitutes a final and complete payment of compensation to BDRC for fees and expenses that have not previously been paid.

End of Order

Approved as to form and content:
November 1, 2010.

MILLER GUYMON, P.C.

/s/ Blake Miller
Blake Miller
Attorneys for BDRC 4Site, LLC

ORDER SIGNED

Certificate of Service Page 5 of 5
CERTIFICATE OF NOTICE

District/off: 1088-2
Case: 09-29905

User: mtm
Form ID: pdfor1

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 03, 2010

The following entities were noticed by first class mail on Nov 05, 2010.
aty +Blake D. Miller, Miller Guymon, PC, 165 South Regent Street, Salt Lake City, UT 84111-1903

The following entities were noticed by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 05, 2010

Signature:

